



**TOWN OF GREENWOOD
TOWN COUNCIL MEETING
Greenwood VFW Post 7478
301 Mill St. Greenwood De. 19950
Wed. August 23, 2023 6:00 p.m.
PUBLIC HEARING**

CALL TO ORDER: Pledge of Allegiance

PUBLIC HEARING : Greenwood Associates LLC for conditional use application a convenience store with gas pumps for the following parcel ids# 530-10.13-75.00, 530-10.13-76.00, 530-10.13-77.00, 530-10.13-79.01.

APPROVAL OF MINUTES :

1. Town Council Meeting Minutes July 12, 2023 Council Meeting

POLICE

1. Verbal Report-Chief Thomas

TOWN MANAGER REPORT

1. Verbal Report – Janet Todd
2. Review of 2023 financials for the first two quarters of 2023

OLD BUSINESS:

1. Second reading of Ordinance A9A. An Ordinance amending ordinance A-9 regulating the keeping and maintaining of animals within the Town of Greenwood, creating exceptions therefrom and penalties for violation thereof.
2. Second reading of Ordinance D13A. An Ordinance establishing no parking zones within the corporate limits of the Town of Greenwood, prescribing penalties for violations thereof, and repealing Ordinance D13.

NEW BUSINESS:

1. **Conditional Use Application:** Application by Greenwood Associates LLC for conditional use application for a convenience store with gas pumps for the following parcel Ids# 530-10.13-75.00, 530-10.13-76.00, 530-10.13-77.00, 530-10.13-79.01.

PUBLIC COMMENT

The Public Comment portion of the Town Council Meeting affords members of the public the opportunity to share with the Town Council questions, thoughts, comments, concerns, and/or complaints regarding the Town. Anyone interested in addressing the Town Council will be given three (3) minutes to do so. The Town Council is sincerely interested in hearing from the public, but the purpose of public comment is for Council to listen to comments, and the Town Council is not required to answer questions or provide immediate responses to concerns raised during public comment. Council may take action on items only when duly noticed on an agenda.

ADJOURNMENT

NOTES:

AGENDA MAY BE SUBJECT TO CHANGE TO INCLUDE ADDITIONAL ITEMS (INCLUDING EXECUTIVE SESSIONS) OR THE DELETION OF ITEMS (INCLUDING EXECUTIVE SESSIONS), WHICH ARISE AT THE TIME OF THE MEETING. [29 Del. C. Sec.10004 (e)(3)].

Town of Greenwood
Town Council Meeting Minutes
Wednesday, July 12, 2023

CALL TO ORDER:

Mayor Torbert opened the meeting with the Pledge of Allegiance at 6:30 p.m.

APPROVAL OF MINUTES:

June 14, 2023, Town Council Meeting minutes.

Motion to approve by Vice-Mayor Reed, Seconded by Councilwoman Jones.

APPROVED Unanimously.

POLICE REPORT:

- Police Night Out will be August 8, from 6-8 pm at the firehouse.
- Chief Thomas stated that the last Tahoe has been sold.
- The Police Department has one new Durango in service and the second should be in service soon after the equipment arrives.

TOWN MANAGER REPORT:

- The July Farmers Market went well. All About Inflatables sponsored a water slide. The last Market this year will be August 12.
- Preparations are being made for Greenwood Day, which will be September 23. There will be yard sales, car and craft shows, a kids zone, bands, food trucks, and more.
- Mrs. Todd gave an update on some projects in town, including some grant funded benches and sidewalk replacement. The street paving project will be completed next week. We received a letter of approval for a Municipal Street Aid grant. Bond Bill money requested in March was awarded, to be used for replacement of damaged windows and a covered walkway at the rear of Town Hall and the Police Department, a new mower for Public Works, a sidewalk to the playground, a solar speed sign, and a Police vehicle.
- This year's Christmas Parade will be on December 8.

OLD BUSINESS:

- First reading of Ordinance A-9-A. An Ordinance amending Ordinance A-9 regulating the keeping and maintaining of animals within the Town of Greenwood, creating exceptions therefrom and penalties for violation thereof.

Councilman Kemp made a motion, Seconded by Vice-Mayor Reed, to change Section 3a to read, "excluding chickens or other fowl". Motion CARRIED by unanimous vote.

- First reading of Ordinance D13-A. An Ordinance establishing no parking zones within the corporate limits of the Town of Greenwood, prescribing penalties for violations thereof, and repealing prior Ordinance D13.

Councilman Kemp made a motion to remove Section 2. Motion failed for a lack of second.

NEW BUSINESS:

- Finley Jones and Councilman Moran have handled the Christmas lights for a number of years and are turning it over to the Town. Roger will be taking an

inventory of all the existing lights, fixtures, and bulbs, and working with Mrs. Todd and Mayor Torbert to see what needs to be done to update them. Manager Todd will try to obtain funding if new lights are needed. Mr. Jones spoke about the beginnings with the Kiwanis and Fire Company and how the Christmas lights have always been funded by donations and handled by volunteers. He presented the Town with a check for \$4,065.85.

- Chief Thomas spoke about the overtime budget, which was figured with two officers but there are now three.

PUBLIC COMMENT:

A.J. Massey spoke about the possible closing of Andy's Pizza. They have been having trouble keeping help.

Robert Nichols spoke about the condition of the sidewalks at 101 and 103 Maryland Avenue and at the corner of Market and Maryland. He said people are still using the Tee Ball field as a dog park.

ADJOURNMENT:

Meeting adjourned at 6:55 p.m. with a motion by Vice-Mayor Reed, Seconded by Councilwoman Jones.

Attested _____, Town Manager

2023 JAN 1-JUNE 30 2023

ADMN INC			
Acct#	Description	YTD	Budgeted 2023
4005	Real Estate Taxes	\$128,670.28	\$120,000.00
4007	Realty Transfer Taxes	\$25,505.12	\$35,000.00
4010	Banking Interest	\$8,413.76	\$4,000.00
4012	Finance Charges (WST)	\$408.52	\$400.00
4014	Penalty fees (taxes)	\$185.25	\$3,500.00
4018	Returned Check Charges	\$35.00	\$0.00
4020	State Grants MSAF	\$90,388.43	\$28,900.00
4080	Water	\$144,500.69	\$200,000.00
4080.1	Water Reserves	\$0.00	\$0.00
4001	Water Impact Fees	\$1,500.00	\$10,000.00
4100	Trash	\$47,004.06	\$75,000.00
4002	Rental Income	\$5,588.94	\$9,000.00
4003	Variance App Fee	\$500.00	\$1,000.00
	Building, Sewer, CO, Sign permit	\$2,625.00	\$5,000.00
	Rental Licenses	\$2,250.00	\$5,000.00
	Business Licenses	\$12,050.00	\$10,000.00
	Combining Lot Application Fee	\$250.00	\$1,000.00
	Property Violation Fees	\$300.00	
4000	Meters and MXU breakage	\$1,243.91	\$1,000.00
4150	Capital Works Grants	\$294,341.08	\$0.00
	TOTAL ADMINISTRATIVE INCOME	\$765,760.04	\$508,800.00
ADMIN EXP			
			Budgeted 2023
	PAYROLL ADMIN		
5175	General Govt Staff Overtime	\$2,125.34	\$3,000.00
5180	General Govt Staff Regular	\$82,075.96	\$160,000.00
5180.1	Day Labor	\$160.00	\$300.00
4080.2	Water Expense	\$10,869.32	\$5,000.00
5112	State Revolving Fund Loan Pmts	\$33,852.35	\$60,000.00
5116	Bank Service Charges	\$35.00	\$0.00
5020.1	Computer IT support	\$3,534.10	\$3,000.00
5138	Office/Computer Supplies	\$1,538.96	\$2,000.00
5129	Water Cooler Rental	\$6.09	\$100.00
5130	Copier Lease	\$654.56	\$1,500.00
5135	Postage	\$2,544.34	\$2,500.00
5137	Janitorial Supplies	\$27.00	\$75.00
5223	Equipment (new mxus)	\$480.00	\$5,000.00
5224	Small Tools	\$71.04	\$200.00
5230	Repairs/Maintenance Building	\$1,731.98	\$2,000.00
5235	Repairs/Maint Equipment	\$4,061.33	\$10,000.00
1421	Capital Improvements	\$34,234.27	\$0.00
	Transfer of grant funds to PD	\$132,368.55	
5240	Mowing and Lawn Care	\$1,506.00	\$1,000.00
5245	Streets	\$2,219.99	\$5,000.00
5255	Supplies	\$60.43	\$1,200.00

			Budgeted 2023
Acct#	Description		
5005	Advertising	\$503.49	\$500.00
5010	Gasoline Fuel	\$1,364.99	\$2,000.00
5015	Auto and Truck Maintenance	\$3,367.48	\$1,000.00
5030	Dues and Subscriptions	\$1,425.00	\$500.00
5040.3	Uniforms	\$93.00	\$100.00
5040	Criminal Background Reimb	\$0.00	\$0.00
5091.1	Public Relations	\$1,100.00	\$500.00
5035	Education & Training	\$80.00	\$200.00
5295	Trash Collection	\$44,921.48	\$65,000.00
5305	Electric	\$20,390.58	\$35,000.00
5340	Propane	\$0.00	\$900.00
5335	Fuel Oil	\$1,469.53	\$1,500.00
5345	Telephone	\$3,078.09	\$7,500.00
5050A	Dental Insurance	\$289.20	\$600.00
5060A	Life Insurance	\$202.50	\$500.00
5065A	Medical Insurance	\$0.00	\$0.00
5070A	Pension	\$6,577.87	\$12,000.00
5080A	Insurance (auto, liability etc.)	\$1,627.23	\$25,000.00
5080.1A	Workers Comp Admin	\$1,944.53	\$4,000.00
5280A	Medicare,Soc Sec	\$6,328.12	\$12,000.00
5285A	State Unemployment Taxes	\$1,052.19	\$2,500.00
5260	Taxes (tax ditch)	\$0.00	\$1,800.00
5190	Auditing Prof Svcs	\$0.00	\$9,500.00
5195	Engineering Prof. Svcs	\$12,739.60	\$15,000.00
5200	Legal Professional Svcs	\$34,204.75	\$25,000.00
5210	Testing Prof Svcs	\$250.00	\$1,000.00
5215	Monitoring Svcs	\$70.87	\$600.00
5216	Honorium Fees	\$1,087.50	\$2,800.00
	TOTAL ADMINISTRATIVE EXPENSES	\$458,324.61	\$488,875.00
POLICE INC			Budgeted 2023
4004.1	Donations/Special Comm Event	\$2,850.00	\$6,000.00
4030P	Highway Safety/DUI	\$2,644.05	\$7,800.00
4050P	PD FINES	\$67,555.89	\$160,000.00
4050.4	Accident Reports/fingerptnts	\$600.00	\$500.00
4070P	Police Grants	\$78,471.71	\$130,500.00
4075P	State pension grant Police	\$0.00	\$10,000.00
	Grant Transfers ARPA/RT	\$132,368.55	
	Vehicle/Equip Sale	\$12,000.00	0.00
	POLICE INCOME TOTAL	\$296,490.20	294,300.00
POLICE EXP	POLICE EXPENSE		
5160P	Officers Overtime	\$2,400.52	5,000.00
5160PG	Officers OT GRANT reimb	\$12,023.29	
	SEU	\$14,600.00	27,811.25
5165P	PD Regular Rate	\$93,817.60	160,000.00
5280P	Medicare,Soc Sec	\$2,973.30	15,000.00

5285P	State Unemployment Taxes	\$652.89	3,000.00
5080.1P	Workers Comp PD	\$7,796.47	12,000.00
5030.1	Dues and Subscriptions	\$5,794.50	1,500.00
5025P	Vehicle Purchase	\$123,387.00	
5032.1P	Police Equipment	\$520.22	
5032.1G	Poice Equip grant reimb	\$3,115.00	
5032.2P	Police Training	\$95.00	100.00
5032.2G	Police Training Grant reimb	\$805.00	
5032.3P	Police Medical Testing	\$0.00	100.00
5032.3G	Police Medical Testing -grant	\$38.00	
Acct#	Description		
5005P	Advertising	\$224.50	100.00
5010P	Gasoline Fuel	\$6,996.45	10,000.00
5335P	Fuel Oil	\$1,469.51	1,800.00
5340P	Propane	\$0.00	200.00
5091P	Charitable Donations	\$0.00	100.00
5091.2P	Public Relations	\$891.37	6,000.00
5040.3P	Uniforms	\$50.06	200.00
5040.3G	Uniforms-grant reimb	\$0.00	200.00
5050P	Dental Insurance	\$1,250.22	1,800.00
5060P	Life Insurance	\$243.00	500.00
5065P	Medical Insurance	\$13,338.76	12,000.00
5070P	Pension	\$9,927.14	20,000.00
5080P	Insurance (auto, liability etc.)	\$3,528.05	30,000.00
5120P	Office Supplies	\$340.33	300.00
5120PG	Office Supplies-grant reimb	\$881.65	50.00
5129P	Water Cooler Rental	\$6.09	120.00
5130P	Copier Lease	\$421.80	800.00
5135P	Postage	\$187.59	200.00
5137P	Janitorial Supplies	\$85.56	180.00
5137PG	Janitorial Supp-grant reib	\$0.00	0.00
5185P	Legal Professional Svcs	\$0.00	1,000.00
5190P	Auditing Prof Svcs	\$0.00	4,000.00
5215P	Monitoring Svcs	\$209.93	150.00
5216	Honorium Fees	\$1,400.00	2,800.00
5015P	Vehicle Repair Expense	\$3,102.16	2,500.00
5230P	Building Repairs/ Maint PD	\$1,270.00	500.00
5230PG	Building Rep/Main grant reimb	\$6,870.00	0.00
5235P	Equipment Repairs and Maint	\$99.00	600.00
5235PG	Equip Repr and Maint-grant reim	\$0.00	500.00
5255P	Supplies PD	\$0.00	500.00
5255PG	Supplies Pd-grant reimb	\$0.00	500.00
5305P	Electric PD	\$2,593.16	2,500.00
5345P	Telephone PD	\$3,446.39	6,000.00
	TOTAL POLICE EXPENSES	\$326,851.51	137,800.00

GRAND TOTALS	PROPOSED 2023
ADM INC.	\$765,760.04
ADM EXP.	\$458,324.61
POLICE INCOME	\$296,490.20
POLICE EXP.	\$326,851.51
TOTAL INCOME	\$1,062,250.24
TOTAL EXPENSES	\$785,176.12
NET STATUS 3/31/23	\$277,074.12

First Reading: July 12, 2023

Second Reading: _____

Adopted: _____

GREENWOOD ORDINANCE NO. A-9-A

AN ORDINANCE AMENDING ORDINANCE A-9 REGULATING THE KEEPING AND MAINTAINING OF ANIMALS WITHIN THE TOWN OF GREENWOOD, CREATING EXCEPTIONS THEREFROM, AND PENALTIES FOR VIOLATION THEREOF.

WHEREAS, Section 29(a)(2) of the Greenwood Town Charter authorizes the Town to “provide for and preserve the health, peace, safety, cleanliness, ornament, good order and public welfare of the Town and its inhabitants”;

WHEREAS, Ordinance A-9 regulates the keeping and maintaining of animals within the Town of Greenwood, creating exceptions therefrom, and providing penalties for violations thereof;

WHEREAS, since the adoption of Ordinance A-9, the State of Delaware has enacted legislation regarding the regulation of the keeping and maintaining of animals;

WHEREAS, in the opinion of the Town Council, it is in the best interest of the public health, safety, and welfare to repeal in its entirety and replace said Ordinance A-9 as set forth herein; and

NOW THEREFORE, be it hereby enacted by the Town Council of the Town of Greenwood, a majority thereof concurring in Council duly met, that Ordinance A-9 “An Ordinance regulating the keeping and maintaining of animals within the Town of Greenwood, creating exceptions therefrom, and providing penalties for violations thereof” is hereby repealed in its entirety and replaced thereof with the following, to wit:

“ORDINANCE A-9-A: AN ORDINANCE AMENDING ORDINANCE A-9 REGULATING THE KEEPING AND MAINTAINING OF ANIMALS WITHIN THE TOWN OF GREENWOOD, CREATING EXCEPTIONS THEREFROM, AND PENALTIES FOR VIOLATION THEREOF.

Section 1. Definitions.

For the purpose of this Ordinance, the following definitions shall be applicable unless the context clearly indicates to the contrary:

- a. ANIMAL — Dog, cat, and any species of mammals except human beings.
- b. ANIMAL CONTROL AGENCY — An agency of the state, county, municipality, or other governmental subdivision of the state which is responsible for animal control operations in its jurisdiction.

- c. CAREGIVER — A person who provides shelter, medical care, or food to feral or free-roaming cats, lacking discernible owner identification, and works to reduce their numbers by working to spay and neuter the animals. Free-roaming cat caregivers are not owners.
- d. FERAL CAT — A cat that (i) is born in the wild or is the offspring of an owned or feral cat and is not socialized, (ii) is a formerly owned cat that has been abandoned and is no longer socialized, or (iii) lives on a farm. Feral cats may have a temperament of extreme fear and resistance to contact with humans.
- e. DOG — Either a male or female canine.
- f. HORSE-DRAWN VEHICLE — A carriage, wagon, cart, sled or sleigh or other device drawn by horses which has a passenger carrying capacity.
- g. LEASH — A cord, leash, or chain not to exceed eight (8) feet in length.
- h. OWNER — The person, firm, corporation, organization, or department possessing, harboring, keeping, having an interest in, or having care, custody, or control of an animal.
- i. PERSON — Includes any natural person, an individual, partnership, voluntary association, society, club, firm, corporation, business trust, or any other group acting as a unit or the lessee, agent, servant, partner, member, director, officer, or employee, or any of them.
- j. PUBLIC PLACE — Any park, lake, stream, stadium, athletic field, playground, school yard, street, avenue, plaza, square, cemetery, or any other place commonly opened to the public.
- k. STREET — All streets, avenues, highways, boulevards, parkways, roads, lanes, bridges, alleys, and the approaches thereto, docks built for use of the public, curbs, sidewalks, recreation, and park lands used for vehicular traffic or other public ways or thoroughfares in the Town over which the Town has jurisdiction.
- l. TRAP-NEUTER RETURN (TNR) PROGRAM — A program in which healthy, feral, semi-feral, or free roaming cats lacking discernible owner identification are sterilized, vaccinated against rabies, ear-tipped and returned to a safe location near or where they were found.

Section 2. Control of Dogs, Cats, and Other Animals.

- a. **Dogs running at large; exceptions.** Dogs shall be maintained in accordance with the 16 Del. C. § 3048F (Dogs Running At Large), as may be amended subject to the following exceptions:
 - 1. Such restriction shall not apply to dogs owned by the Greenwood Police Department or any other law enforcement agency and which dogs are maintained as Police K-9 units while under the custody and control of the dog's trainer or handler.
- b. **Dog License Required.** The owner or lawful possessor of any dog shall obtain a license for said dog pursuant to 16 Del. C. § 3042F (Fees for Dog Licenses), as may be amended.
- c. **Leash required; exceptions.**
 - 1. Except as otherwise provided, no animal shall be permitted in or upon any public street, sidewalk, alley, park, parkway or other public place in the Town or in or upon any property belonging to said Town unless said animal is on a leash and is under the complete control of the person owning or, at the time, in possession of said animal.
 - 2. This leash requirement shall not apply to cats.
 - 3. Notwithstanding anything in this Ordinance to the contrary, no person shall be compelled to keep any animal in his possession on a leash while in or upon any public street, alley, parkway or other public place in the Town if, at the time, said animal is securely confined in an automobile provided that the animal is safe and its welfare is not endangered by such confinement in accordance with Delaware State Code Title 11, Chapter 5, Subchapter VII, Cruelty to Animals, as may be amended.
- d. **Noisy animals.** No person shall keep any animal which causes frequent or long-continued noise so as to disturb the comfort or repose of any person in the vicinity. Any violation of this section, in addition to the penalties set forth in this Ordinance, is declared to be a nuisance and as such may be abated.
- e. **Authorization for Animal Control Official.** This Ordinance shall be enforced by an Animal Control Agency or an Animal Control Official.
- f. **Right of entry by Animal Control Official or designee; impoundment.** Upon presentation of proper credentials, an Animal Control Official, a Town of Greenwood Code Official, or Greenwood Police Officer may enter upon the yards of private property in order to enforce the provisions of this Ordinance. The Animal Control Official or duly authorized representative(s) may impound all animals over the age of six months that are untagged, as provided for in this Ordinance, or that are in or upon any private property

without the permission and consent of the owner of such property or that are in or upon any public street, alley, sidewalk, park, or other public place unleashed.

- g. **Redemption of impounded animals; costs.** The owner of any dog apprehended and impounded by the Animal Control Official may reclaim said dog upon the payment of any fine and cost imposed for any violation of this chapter. or the Delaware State Code, in accordance with Delaware State Code Title 16 Chapter 30F. Animal Welfare, as may be amended.
- h. **Obstruction of Animal Control Agency / Official.** No person shall willfully oppose, restrict, delay or obstruct the Animal Control Officer in the discharge or attempt to discharge or perform any act or duty authorized or prescribed herein.
- i. **Violations and penalties.** Unless otherwise established herein, the following fines and penalties shall apply to this Ordinance:
 - 1. Any person found guilty of violating the provision of this article shall forfeit to the Town of Greenwood a fine of not less than \$25 but not more than \$300, plus the costs of prosecution.

Section 3. Prohibited Animals.

- a. **Keeping or slaughtering of certain animals within Town limits.** No person shall keep or slaughter any swine, cow, bull, sheep, goat, or like animal or other farm animal within the Town of Greenwood unless in conformity with the Greenwood Zoning Code, and properly licensed and inspected by the appropriate state agencies. Chicken and other small fowl are permitted to be kept and maintained in a clean enclosure.
- b. **Exception for parade animals.** Animals used in parades where a Town of Greenwood parade permit has been issued are exempt from the provisions of this Ordinance.
- c. **Violations and penalties.** Any person found guilty of violating the provision of this article shall forfeit to the Town of Greenwood a fine of not less than \$100 but not more than \$500, plus the costs of prosecution.

Section 4. Horse-Drawn Vehicles

- a. **Conditions and restrictions.** The provisions of this Ordinance shall not be applicable to any person who brings into the City a horse for the purpose of providing transportation in horse-drawn vehicles carrying passengers on a fixed route under the following terms and conditions:
 - 1. Each route shall be approved by the Town Manager which may be approved or denied by the Town Manager. Any decision by the Town Manager concerning a horse-drawn vehicle may be appealed to the Town Council no later than 30 days after the decision was issued.

2. The horse shall not be kept or maintained within the corporate limits of the Town of Greenwood when not being used for the purpose of providing transportation.
3. Horse-drawn vehicles are prohibited from all other streets and areas within the Town of Greenwood unless specifically approved by the Town Manager for providing point-to-point transportation for special events, including but not limited to weddings, theatrical performances and funerals.
4. Owners and operators of horse-drawn vehicles are responsible for cleanup after the horses.
5. No person shall drive or operate a horse-drawn vehicle on any day or at any time that the Town Manager makes a specific determination that it would be inconsistent with other special events or public safety requirements.

Section 5. Effective Date. This Ordinance shall take effect immediately upon its adoption by the Town Council.

Synopsis

This Ordinance repeals and replaces Ordinance A-9 to amend the regulations for keeping and maintaining animals within the Town of Greenwood. Section 1 of this Ordinance establishes new definitions. Section 2 identifies illegal behaviors related to the keeping and maintaining of animals and sets forth enforcement rights including the imposition of fines. Section 3 outlines prohibited animals. Section 4 sets forth guidelines for horse-drawn carriages.

This shall certify that this is a true and correct copy of Ordinance A-9-A duly adopted by the Town Council of the Town of Greenwood at a duly-noticed and convened meeting at which a quorum was present on _____, 2023.

So certifies:

Attest: _____
Council Secretary

Mayor

ORDINANCE D13A

AN ORDINANCE ESTABLISHING NO PARKING ZONES WITHIN THE CORPORATE LIMITS OF THE TOWN OF GREENWOOD, PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF, AND REPEALING PRIOR ORDINANCE D13

BE IT ORDAINED by the Town Council of the Town of Greenwood, in Council met, in the manner following, to wit:

Definitions: "Motor Vehicle" shall mean any self-propelled land vehicle which can be used for transportation of people or materials, including to but not limited to automobiles, trucks, buses, campers, RV's, motorcycles, ATVs, motor scooters, tractors, snow mobiles, dune buggies and other road or off-road vehicles

Section 1: It shall be unlawful for any person to park, stand or stop or cause to be parked or stopped any Motor Vehicle in the following places:

- (1) On both sides of the extension of Market Street between the southbound lane and northbound lane of United States Route 13
- (2) On both sides of the extension of Governors Avenue between the southbound lane and the northbound lane of United States Route 13

Section 2: It shall be unlawful for any person to park any Motor Vehicle overnight on any property owned or leased by the Town of Greenwood. Such properties shall be marked with "No Overnight Parking" signs. In addition to any penalties prescribed herein, the Town may tow away such vehicles at the owner's expense.

Section 3: No person shall stop, stand or park a vehicle on a sidewalk, in front of a public or private driveway or in any other location prescribed by Delaware Code, Title 21, Section 4179. (Stopping, standing or parking.)

Section 4: The provisions of this Ordinance shall not be applicable to the operator of any motor vehicle who stops or causes his motor vehicle to stop in order to avoid conflict with other traffic, in compliance with the direction of a Policeman or other traffic control officer or to load or unload passengers.

Section 5: Any person violating any of the provisions of this article shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$25 nor more than \$100, and shall pay the cost of prosecution. For the purposes of this article, each day that a violation occurs shall be deemed to be a separate offense.

Section 6: A Police Officer of the Town, while in the performance of his duty, may remove or cause to be removed, at the expense of the owner or operator of such motor vehicle, any motor vehicle parked in violation of any section of this ordinance when the owner is unable, unwilling or unavailable to move such motor vehicle

immediately. If any motor vehicle is removed pursuant to the provisions of this section, the owner or operator thereof shall pay the fine imposed, the costs of removal, the cost of storage for each day or part thereof that the vehicle is stored and court costs, if any.

Section 7: The relevant provisions regarding parking having been updated and codified herein, the Town's prior ordinance "D13," enacted on or about August 3, 1993, is hereby repealed.

Section 8: Effective Date: This Ordinance shall take effect immediately upon the adoption by Town Council

Synopsis

AN ORDINANCE ESTABLISHING NO PARKING ZONES WITHIN THE CORPORATE LIMITS OF THE TOWN OF GREENWOOD, PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF, AND REPEALING PRIOR ORDINANCE D13. THIS ORDINANCE PROHIBITS OVERNIGHT PARKING ON TOWN PROPERTIES AND PROHIBITS PARKING ALONG ROUTE 13, AND AS SET FORTH IN DELAWARE CODE TITLE 21 (§ 4179. Stopping, standing or parking)

This shall certify that this is a true and correct copy of Ordinance D13A, duly adopted by the Town Council of the Town of Greenwood at a duly-noticed and convened meeting at which a quorum was present on ____/____/2023.

_____(Mayor)

Attest: _____ Council Secretary

First Reading: _____

Second Reading: _____

Adoption: _____



**TOWN OF GREENWOOD
100 W. MARKET ST.
GREENWOOD, DE. 19950
PH# 302-349-4534**

August 23, 2023

Town Council
Town of Greenwood

Dear Council,

At the Planning Commission meeting held on July 26, 2023, the Commission considered an application for a Conditional Use for the property located at 12600 Sussex Highway Greenwood Delaware, also known as Tax Map#5-30-10.13-75.00,76.00,77.00, and 79.01 to have fuel pumps at a proposed convenience store at that location. James Taylor of Verdantas and Mr. Fred Wittig for the applicant, were in attendance to present the application.

The property is zoned HC and a convenience store is a permitted use in this zone. Zoning Ordinance A-1 requires a Conditional Use for fuel pumps. A prior use of the building was a service station with fuel and is currently being used as an antique/craft store.

The Planning Commission found that the grant of a Conditional Use is appropriate for the location, is not in conflict with the Comprehensive Plan and is consistent with the purpose and intent of the Zoning Ordinance.

The Planning Commission voted unanimously to recommend that Greenwood Town Council approve a Conditional Use on the stated parcels in the HC zone, for purposes of allowing a convenience store with fuel pumps. The project will be subject to final site plan review and necessary agency approvals.

On behalf of the Planning Commission, I am submitting this letter of recommendation for your consideration.

Janet Todd
Town Manager

Town of Greenwood
Delaware, Incorporated
100 West Market Street
P.O. Box 216
Greenwood, DE 19950
(302) 349-4534

****APPLICATION****

SITE PLAN CONDITIONAL USE SUBDIVISION VARIANCE CHANGE OF ZONE
(Circle One)

The undersigned hereby make formal application to the Town of Greenwood for the approval of a _____ plan for the property described below. Applications should be represented at the appropriate meetings or hearings. The applicant is aware that no applications will be accepted if violations exist on the property or if any service fees, including taxes, are delinquent.

OWNER NAME Greenwood Associates, LLC PHONE NUMBER 302-283-1800
ADDRESS 3304 Old Capitol Trail - Suite 100, Wilmington, DE 19808
SIGNATURE [Signature] DATE _____
Please note: Legal Owner must sign application! Fee: \$350

APPLICANT NAME Greenwood Associates, LLC PHONE NUMBER 302-283-1800
ADDRESS 3304 Old Capitol Trail, Wilmington, DE 19808

SITE LOCATION: ROAD Sussex Hwy (N)(S)(E)(W) (W) SIDE, East Market St. (N)(S)(E)(W)
ROAD _____ SUBDIVISION NAME _____ LOT # _____

ZONING: EXISTING HC PROPOSED: _____ TAX MAP NUMBER 530-10.13-75, 530-10.13-76, 530-10.13-77, 530-10.13-79.01

PRESENT USE: Commercial PROPOSED USE: Convenience Store with gas pumps

AREA OF PETITION: 3.272 Acre AREA OF ADJACENT LAND IN SAME OWNERSHIP _____

SANITARY FACILITIES: EXISTING x PROPOSED x
WATER SUPPLY: _____ EXISTING x PROPOSED x

F.I.R.M. PANEL: 10005C0112K FLOOD PLAIN ZONE: N.A.

WETLANDS ON SITE: YES _____ NO x COMPREHENSIVE PLAN RECOMMENDATION _____

VARIANCE INFORMATION (IF APPLICABLE) _____

COMMENTS: _____

CONTACT PERSON FOR APPLICATION: Shaun Condrón PHONE: 302-489-2353

APPLICATION RECEIVED BY _____ email: scondron@verdantas.com RECEIPT _____

